IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Koji Tsukimori et al.

Application No.: 10/799,617   Confirmation No.: 8418

Filed: March 15, 2004   Art Unit: 2111

For: EDITING SYSTEM   Examiner: F. M. Zaman

NOTICE OF APPEAL

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Madam:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the Office Action dated July 14, 2008 of the Examiner rejecting claims 9-36.

The Office Action of <u>July 14, 2008</u> *reopened* prosecution *prior to* a decision on the merits by the Board of Patent Appeals and Interferences.

Pursuant to practice and procedures within the U.S. Patent and Trademark Office, any previously paid appeal fees set forth in 37 CFR 41.20 for filing a notice of appeal, filing an appeal brief, and requesting an oral hearing (if applicable) will be applied to the new appeal on the same application as long as a final Board decision has not been made on the prior appeal. M.P.E.P. §1204.01.

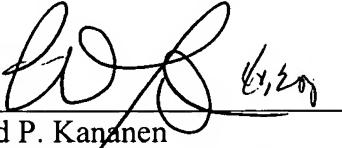.Please apply the fee paid on May 30, 2008 for the Notice of Appeal.

If, however, the appeal fees have increased since they were previously paid, then appellant must pay the difference between the current fee(s) and the amount previously paid.

Accordingly, the Director is hereby authorized to charge **$30.00** to Deposit Account 18-0013 to cover the additional fee for this Notice of Appeal. 37 C.F.R. §41.20(b)(1).

If any fee is required or any overpayment made, the Commissioner is hereby authorized to charge the fee or credit the overpayment to Deposit Account # 18-0013.

Dated: January 22, 2009   Respectfully submitted,

By _____

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